

Application No.: 10/767,743

Docket No.: 713-1009

AMENDMENTS TO THE DRAWINGS:

Please enter new FIG. 4A which does not include new matter.

Attachment: New Drawing Sheet

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REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 6-17, 19-20 and 28-33 are pending in the instant application. Claims 1-5 and 21-27 have been cancelled without prejudice or disclaimer. Claims 6, 9, 13, and 16 have been amended to better define the claimed invention. Claims 28-33 have been added to provide Applicants with the scope of protection to which they are believed entitled. New FIG. 4A has been added and the specification has been revised to show and provide positive antecedent basis for the claimed "first and second boundary lines." The amendments find support in, at least, original FIG. 4. No new matter has been introduced through the foregoing amendments.

The objection to the drawings and specification as well as the 35 U.S.C. 112, *second paragraph* rejection are believed overcome in view of the above amendments.

The art rejections relying primarily on newly applied *Sato* (U.S. Patent No. 4,927,306) are also believed overcome.

As to independent claim 6, the applied references fail to teach or suggest the last limitation that when said shank is seen in said axial direction, said shoulder is confined between an outer edge of said shank and a first boundary line intersecting said outer edge at first and second points, and said outer surface section is confined between said first boundary line and a second boundary line converging toward the first point. When the device of *Sato* is seen in the axial direction (FIG. 5 of the reference), there is no "second boundary line converging toward the first point" as presently claimed; all lines adjacent element 5 in FIG. 5 of *Sato* are parallel.

In addition, *Sato* does not fairly teach or suggest the claimed outer surface section inclined relative to the axial direction, contrary to the Examiner's position manifested in the Office Action, at page 5, lines 6-9. The *Sato* vertical aspect connecting elements 2 and 5 cannot be considered inclined relative to the axial direction which is also vertical. The correct reading of *Sato* is that its "outer surface section," i.e., the vertical aspect connecting elements 2 and 5, is parallel, rather than inclined, to the axial direction.

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As to claim 7, Applicants cannot agree with the Examiner's position that *Sato* teaches shoulder 5 being planer and perpendicular to the axial direction. As best seen in FIG. 2B of *Sato*, shoulder 5 is a slanted face which is not perpendicular to the axial direction.

As to claims 9 and 14-17, Applicants cannot agree with the Examiner's position that *Sato* teaches the claimed shoulder located in a corner portion of a rectangular cross section. It is clear from FIG. 5 of *Sato* that shoulder 5 is not located in any corner portion of the shank; it is located in a middle of one of the sides.

Of particular note, the Examiner's proposed combination of *Sato* and *Mizuno* is improper for the reasons advanced in the Amendment filed March 11, 2005, at the paragraph bridging pages 9-10, i.e., a person of ordinary skill in the art would have been motivated, if at all, only to modify the *Sato* locking teeth 6/6a, rather than shoulder 5, with *Mizuno*, without obtaining the claimed invention..

Claims 28-30 depend from claim 6, and are considered patentable at least for the reasons advanced with respect to claims 6.

New independent claim 31 is directed to a grommet comprising, among other things, a shank, at least a locking tab, and a head, wherein, when said shank is seen in said axial direction, said shoulder is confined between an outer edge of said shank and a first boundary line intersecting said outer edge at first and second points, and said outer surface section is confined between said first boundary line and a second boundary line, and a spacing between said first and second boundary lines decreases as the second boundary line extends from the third point toward the first point. When the device of *Sato* is seen in the axial direction (FIG. 5 of the reference), there is no feature corresponding to the claim limitation highlighted above as all lines adjacent element 5 in FIG. 5 of *Sato* are parallel. New claim 31 is thus patentable over the applied references.

Claims 32-33 depend from claim 31, and are considered patentable at least for the reasons advanced with respect to claims 31.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

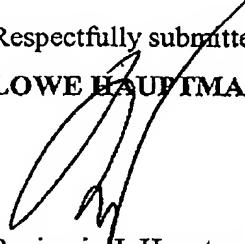
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The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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